

USH.018



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Yoshinori Ohta

Serial No.: 09/805,978

Group Art Unit: 3621

Filed: March 15, 2001

Examiner: Hewitt II, Calvin L.

For: IMAGE ORDERING SYSTEM AND METHOD

Honorable Commissioner of Patents  
Alexandria, VA 22313-1450

**STATEMENT OF SUBSTANCE OF TELEPHONIC INTERVIEWS**

Sir:

Please review and enter the following remarks summarizing the telephonic interviews conducted on May 17, 2006, May 18, 2006, May 19, 2006, and August 2, 2006.

As a preliminary matter, Applicant's representative would like to thank Examiner Hewitt for courtesies extended in the productive, telephonic interviews conducted on May 17, 2006, May 18, 2006, May 19, 2006, and August 2, 2006. Applicant submits this Statement to comply with the requirements of M.P.E.P. § 713.04.

In the interviews, the following was discussed:

**A. Identification of claims discussed:**

Generally, all claims.

**B. Identification of prior art discussed:**

Freedman and Hartman.

**C. Identification of principal proposed amendments:**

Discussed the current claims, as rejected in the final rejections, and also discussed possible ways that the claim language that could be expanded upon to more clearly define the invention, should filing a Request for continued Examination be deemed appropriate.

**D. Brief Identification of principal arguments:**

Discussed arguments set forth in the Appeal Brief filed on November 23, 2005, and the Examiner's position in the Examiner's Answer dated March 3, 2006.

To advance the prosecution, the Examiner kindly agreed to discuss further Applicant's rebuttal positions, as set forth in the Appeal Brief filed on November 23, 2005, which are incorporated herein by reference in their entirety. Upon careful reconsideration of Applicant's positions, the Examiner stated that the rejections would be maintained.

The Examiner also kindly discussed options for advancing the prosecution of the application, should Applicant deem that a subsequent Request for Continued Examination would be appropriate in this case.

Applicant's representative stated that Applicant would consider whether to await a decision from the Board on the Appeal, or to file a Request for Continued Examination, and would contact the Examiner to let him know how Applicant would be proceeding.

Applicant's representative subsequently contacted the Examiner regarding Applicant's decision to proceed with the present Appeal before the Board and await a decision on the present rejections. Applicant's representative again thanked the Examiner

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for his continued cooperation, professionalism, and courtesy in the examination of this case.

**E. Results of the Interview:**


No agreement was reached.

**F. Conclusion:**

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, the Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: September 5, 2006

  
John J. Dresch, Esq.  
Registration No. 46,672

Sean M. McGinn, Esq.  
Registration No. 34,386

**MCGINN INTELLECTUAL PROPERTY  
LAW GROUP, PLLC**  
8321 Old Courthouse Road, Suite 200  
Vienna, Virginia 22182-3817  
(703) 761-4100  
Customer No. 21254